

Associate Administrator for Management will provide additional guidance regarding the types of chemical, physical, and biological agents involved.

(4) A physical project which, in the U.S., would be prohibited or strictly regulated by Federal law to protect the environment against radioactive substances;

(5) Potential environmental effects on natural and ecological resources of global importance and which the President in the future may designate (or which the Secretary of State designates pursuant to international treaty). A list of any such designations will be available from the Associate Administrator for Management.

(b) Prior to decisions (§1216.304) on any action falling into the categories specified in paragraph (a), the Headquarters official shall make a determination whether such action may have a significant environmental effect abroad.

(c) If the Headquarters official determines that the action will not have a significant environmental effect abroad, he/she shall prepare a memorandum for the record which states the reasoning behind such a determination. A copy of the memorandum shall be forwarded to the Associate Administrator for Management. Note that these procedures do not allow for categorical exclusions (E.O. 12114, section 2-5(d)).

(d) If the Headquarters official determines that an action may have a significant environmental effect abroad, he/she shall consult with the Associate Administrator for Management and the Director, International Relations Division. The Associate Administrator for Management, in coordination with the Director, International Relations Division, shall (as specified in E.O. 12114) make a determination whether the subject action requires:

- (1) An environmental impact statement,
- (2) Bilateral or multilateral environmental studies, or
- (3) Concise reviews of environmental issues.

(e) When informed of the determination of the Associate Administrator for Management, the Headquarters official shall proceed to take the necessary ac-

tions in accordance with these implementing procedures.

(f) The Associate Administrator for Management shall, in coordination with the Associate Administrator for External Relations, determine when an affected nation shall be informed regarding the availability of documents referred to in paragraph (d) of this section and coordinate with the Department of State all NASA communications with foreign governments concerning environmental matters as related to E.O. 12114.

[44 FR 44485, July 30, 1979, as amended at 53 FR 9763, Mar. 25, 1988]

PART 1217—DUTY-FREE ENTRY OF SPACE ARTICLES

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AUTHORITY: Sections 101 and 103 of Pub. L. 103-465, 108 Stat. 4814 and 4819; Proclamation No. 6780 of March 23, 1995, 60 FR 15845 (March 27, 1995).

SOURCE: 62 FR 6467, Feb. 12, 1997, unless otherwise noted.

§ 1217.100 Scope.

This part sets forth policy and procedures with respect to the use of the NASA's authority to certify to the U.S. Commissioner of Customs duty-free entry of articles into the United States for the use of NASA or for implementation of a NASA international program, including articles that will be launched into space, spare parts for such articles, ground support equipment, or uniquely associated equipment for use in connection with a NASA international program or launch service agreement. This part also sets forth NASA's procedures with respect to the use of its authority to bring foreign-owned articles and articles from space into the customs territory of the United States, and describes the non-import status of such articles.